

APPLICATION UPDATE INFORMATION!

TO: Minority and Women's Business Enterprise Applicants
FROM: Claudia Cummings, Deputy Commissioner
RE: **CHANGE IN POLICY – TAX FORMS**

If your company files corporate tax returns, you may now submit with the corporate taxes, either your personal tax returns **or** a notarized letter from a CPA. The CPA letter wording can be found below this memo.

Of course, you may always opt to submit the personal taxes of the qualifying member(s) if you prefer.

We hope this information is helpful to you in preparing your certification application.

CC:ojk

(CPA LETTERHEAD)

Minority and Women Business Enterprise Division
Indiana Government Center
402 West Washington Street, #W469
Indianapolis, IN 46204

(Insert Date)

RE: Certification Application of (insert company name)

Dear Division,

This letter is furnished to you for the purposes of verifying the information provided on the certification application of (insert name of company) as a (choose: Minority Business Enterprise or Woman Business Enterprise or both) in the State of Indiana.

I am a licensed Certified Public Accountant in good standing. In rendering the statements expressed below, I have reviewed documents including (insert Name of Company)'s past three years corporate taxes, the past three years individual taxes of the qualifying members comprising 51% ownership, relevant ownership documents including stock shares, the certification application submitted by the company to the Division and other items such as banking records, contracts and invoices as I deemed necessary to determine control and affiliation with regard to (insert Name of Company). I have every reason to believe in the authenticity of the documents which I reviewed. Further, I understand that the Division expects that I have reviewed all documents for consistency of facts as they relate to the application and also for other information that might have bearing on the below referenced finding.

In rendering the statement expressed below, I have utilized the following definitions:

- "Control" means having:
 - (A) ownership of at least fifty-one percent (51%) of the enterprise, including corporate stock of a corporation;
 - (B) control over the management and active in the day-to-day operations of the business; and
 - (C) an interest in the capital, assets, and profits and losses of the business proportionate to the percentage of ownership.
- "Affiliation" is a situation where the Company or the qualifying member(s) is/are closely related to another individual or enterprise through ownership, income, equipment, logistical support or a significant source of business. Examples of affiliation include, but are not limited to:
 - (A) loans or leases with no record of payment by the Company to the obligor;
 - (B) ownership by a qualifying member in an outside source which conducts business with the Company seeking certification;
 - (C) personal income to a qualifying member from a source which conducts business with the Company seeking certification; and
 - (D) significant contracts and business opportunities to the Company seeking certification from a single outside source.

This affiliation prohibition does not related to general household finances between two spouses, but should be examined if one spouse is involved through finance or activity with the Company or if both spouses are engaged in separate but similar enterprises.

- “Qualifying Member(s)” means the person or combination of persons who qualify as a woman and/or a minority whose ownership in the Company is 51% or greater.

Based on the foregoing, I am of the opinion that the qualifying member(s) of the (insert Name of Company) control(s) the enterprise without affiliation with any other person or organization.

Sincerely,

(Insert Name of CPA)

(Signature must be notarized)